2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

3 May 2010

Original: English

New York, 3-28 May 2010

Working paper submitted by the Islamic Republic of Iran on nuclear disarmament

1. In the course of the negotiations leading to the Treaty on the Non-Proliferation of Nuclear Weapons, an integrated and balanced package of rights and obligations was introduced according to which non-nuclear-weapon States undertake not to acquire nuclear weapons, and to place their facilities under the safeguards agreements. In return, nuclear-weapon States undertake not to transfer and develop nuclear weapons and commit themselves to practical steps towards nuclear disarmament. Moreover, all States parties to the Treaty undertake to cooperate and ensure the implementation of the inalienable rights of the States parties to peaceful use of nuclear energy in a non-selective and non-discriminatory manner. In addition, universality of the Treaty has been assumed as a common international commitment of all States parties.

2. Since 1978, when the Final Document of the Tenth Special Session of the General Assembly, the first to be devoted to disarmament confirmed nuclear disarmament as the highest priority in the disarmament agenda, the international community has had to wait for more than two decades to witness a comparable endorsement of its long-sought goal, as contained in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The 2005 Review Conference of the Parties to the Treaty was a sad setback in this direction. The practical steps adopted by consensus at the 2000 Review Conference still constitute the basis of our deliberations on nuclear disarmament in the Review Conference of the Parties to the Treaty.

3. With the adoption of the practical steps in the 2000 Review Conference, including in particular the "unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament under article VI of the Treaty", hopes for the implementation of this fundamental pillar of the Treaty were renewed. The 13 practical steps for the systematic and progressive efforts to implement article VI of the Treaty became instrumental towards the goal of nuclear disarmament.

4. The upcoming Review Conference of the Parties to the Treaty shall consider national reports of the nuclear-weapon States with respect to their obligations to implement article VI of the Treaty, including measures adopted by them to implement 13 practical steps for the systematic and progressive efforts to implement

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article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 3 and 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament.

5. Since the 2000 Review Conference of the Parties to the Treaty, developments in the area of nuclear disarmament have not been promising. Despite the obligations under article VI and commitments made by the nuclear-weapon States at the 1995 Review and Extension Conference of the Parties to the Treaty and their unequivocal undertaking of the 2000 Review Conference of the Parties to the Treaty, the continued development and deployment of thousands of nuclear warheads in the stockpiles of the nuclear-weapon States still threaten international peace and security.

6. The non-entry into force of the Treaty on the Further Reduction and Limitation of Strategic Offensive Arms (START II), the reluctance to pursue the START III negotiations and the abrogation of the Anti-Ballistic Missile Treaty are among the serious setbacks to the implementation of the agreements of the 2000 Conference. The international community has noted the signature of the Treaty on Strategic Offensive Reductions (Moscow Treaty) in 2002 and the new START in 2010. However, the Moscow Treaty and the new START do not go beyond the decommissioning of nuclear weapons, and its parties do not have any obligation to destroy their nuclear weapons.

7. Moreover, no verification mechanism has been envisaged. It therefore does not take into account the principles of "increased transparency", "diminishing role for nuclear weapons" and "irreversibility", which were agreed by the nuclear-weapon States at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

8. During the 2000 Review Conference of the Parties to the Treaty, the nuclear-weapon States committed themselves to "the further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the arms reduction and disarmament process". In spite of that, no practical steps have been taken to reduce tactical nuclear weapons by the nuclear-weapon States.

9. Moreover, in the absence of any mechanism to verify the implementation of unilateral, bilateral and multilateral declarations made or agreements reached regarding the fulfilment of nuclear disarmament obligations, and in order to assure the international community of the real reduction of nuclear weapons and their elimination, the Review Conference of the Parties to the Treaty should establish a standing Committee to ensure implementation of commitments made with regard to article VI obligations.

10. It should also be highlighted that any reduction of nuclear weapons, whether strategic or non-strategic, should be in a verifiable and irreversible manner. Needless to say, such reduction in nuclear weapons can never be a substitute for the main obligation of nuclear-weapon States, namely, the total elimination of nuclear weapons. As a first step, a real change is needed regarding the aggressive Nuclear Posture Review and removal of the emphasis on the old doctrine of nuclear deterrence.

11. As we emphasized last year, the international community rightly expects that statements on the reduction of nuclear weapons be materialized and implemented in a transparent, verifiable and irreversible manner. Despite these pledges, a review of

the new developments in the nuclear policy of the United States shows a reverse trend. The continued emphasis of the United States new Nuclear Posture Review on maintaining nuclear weapons and the obsolete deterrence policy, new extraordinary budget allocations to the modernization of the United States arsenals, no movement towards ratification of the Comprehensive Nuclear-Test-Ban Treaty, and raising new excuses for keeping nuclear weapons in the new Nuclear Posture Review, are clear indications of the continued policy of this State to evade its obligation to eliminate its nuclear arsenals.

12. The new Nuclear Posture Review of the United States and the Trident plan of the United Kingdom of Great Britain and Northern Ireland, which provide for the development and modernization of nuclear weapons, the possible use or threat of use of nuclear weapons against non-nuclear-weapon States and targeting nuclear weapons against non-nuclear-weapon States parties to the Treaty, are in contravention of the assurances given by the nuclear-weapon States at the time of the conclusion of the Treaty on the Non-Proliferation of Nuclear Weapons and its indefinite extension. More worrisome are new announcements by France. It has recently announced the addition of a nuclear-armed ballistic missile submarine to its nuclear arsenals. The President of that country was quoted as saying, "French nuclear forces are a key element in Europe's security". It appears that this country, in defiance of its international obligations, is seeking new roles for its nuclear forces in order to justify their continued retention. In so doing, it even resorts to irresponsible methods such as manipulation of intelligence and frightening people to promote programmes that their people would otherwise not support. It is regrettable that, despite the high expectations of the international community regarding the realization of United States pledges on nuclear disarmament and a world free of nuclear weapons, a new extraordinary budget of several billions of dollars has been allocated to modernize the United States arsenals. The bill was a blow to all hopes created by the rhetoric of the new Administration and a big setback for the success of the Review Conference of the Parties to the Treaty. The Nuclear Posture Review is stipulated for United States conventionally armed long-range ballistic missile systems, while this country has been claiming for a long time that the ballistic missile has no use other than as a means of delivery of weapons of mass destruction.

13. The Preparatory Committee and the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons have the urgent tasks of addressing the concerns of the non-nuclear-weapon States emanating from the development and deployment of new nuclear weapons and their means of delivery and alleviating these concerns by considering a decision on the prohibition of the development, the modernization and the production of any new nuclear weapons, particularly mini-nukes, as well as a ban on the construction of any new facility for the development, deployment and production of nuclear weapons and their means of delivery in home and foreign countries.

14. Moreover, real concerns of the international community remain over vertical proliferation of nuclear weapons transfer to other countries and deployment of nuclear weapons in territories of non-nuclear-weapon States, and the danger of using such inhumane weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Ironically, not only do some nuclear-weapon States not take steps towards the total elimination of their arsenals, and give no real and unconditional security assurances to non-nuclear States parties, they also

threaten to use their weapons against States parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

15. In accordance with article I of the NPT, "each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly or indirectly". Contrary to this obligation, hundreds of nuclear weapons and their means of delivery have been and are still being deployed in other countries and air forces of non-nuclear-weapon States train in the delivery of these weapons under the cover of military alliances. The new Nuclear Posture Review of the United States has clearly confessed such violation, namely, the deployment of United States nuclear weapons in the territories of the European Union, and the Review Conference must seriously address this case of non-compliance. In the same context, the nuclear sharing between nuclear-weapon States and between nuclear-weapon States and non-parties to the Treaty is also a grave source of concern for States parties to the Treaty. The nuclear-weapon States should comply with their obligations under article I by refraining from nuclear-sharing, under any pretext, including security arrangements or military alliance.

16. The Treaty on the Non-Proliferation of Nuclear Weapons, in its article III, paragraph 2, commits all States to refrain from the transfer of sensitive technology and materials to non-parties to the Treaty unless they are placed under the International Atomic Energy Agency (IAEA) safeguards.

17. Accordingly, the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons should reaffirm the total and complete prohibition of transfer of any nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear, scientific or technological fields to non-parties to the Treaty, without exception and in particular to the Israeli regime, whose unsafeguarded nuclear facilities and continued programme for the development of nuclear weapons are a real threat to all countries of the Middle East and to international peace and security. The United States is a non-compliant party with its undertakings under the provisions of the Treaty by continuing nuclear-sharing with the Zionist regime of Israel and by strongly supporting this regime by keeping silent in respect of the acknowledgement of the Israeli Prime Minister of Israel's nuclear arsenal. The policy of inaction of the United States and some other nuclear-weapon States regarding the real threats of the nuclear arsenal of the Zionist regime to regional and international peace and security in the Security Council and other relevant forums constitutes an act of horizontal proliferation, adding to their vertical one.

18. The agreement signed by the Director of the Israeli Atomic Energy Commission, and the chairman of the United States Nuclear Regulatory Commission, enabling the Zionist regime to access most of the available United States nuclear data and technology is another example of United States non-compliance with the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons. It seems that the United States is not shy about supporting that regime's nuclear weapon programme, and the disclosed "top secret document dated 23 August 1974" clearly shows the role of the United States in equipping the Zionist regime with nuclear weapons.

19. Although the actual nuclear testing moratorium (but not simulation testing) has been maintained since the signature of the Comprehensive Nuclear-Test-Ban Treaty,

some efforts had been under way in the United States to allocate millions of dollars to reducing to 18 months the time necessary to resume a nuclear test. This put into question its commitment to the so-called moratorium. The international community highly expects that the United States, as a major nuclear-weapon State, will implement its commitments under the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in which the ratification of the Comprehensive Nuclear-Test-Ban Treaty has been envisaged as the first of 13 practical steps towards nuclear disarmament.

20. While new issues such as terrorism, non-proliferation threats and the possible role of the terrorist groups in proliferation should duly be dealt with, it is very unfortunate that these issues are abused as pretexts to justify the pursuit of preserving nuclear weapons and ignorance of nuclear disarmament obligations by certain nuclear-weapon States. Specific threats may not be resolved through resorting to more dangerous weapons that would have catastrophic consequences well beyond any other threats in scope and effects. The main responsibility for nuclear security and preventing nuclear terrorist groups from having access to the nuclear weapons or materials within the territory of a nuclear-weapon State or under its jurisdiction or control rests entirely with that State. Pending the total elimination of such weapons, they should take necessary measures to protect their arsenals from theft and incident.

21. The review process of the Treaty on the Non-Proliferation of Nuclear Weapons should be able to reiterate once again its unconditional global call for the full implementation of the unequivocal undertakings of the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, and must assess the implementation of the 13 practical steps adopted by consensus at the 2000 Review Conference of the Parties to the Treaty.

22. The Parties to the Treaty, particularly the nuclear-weapon States, should engage in good faith in substantive work of the Conference for the prompt and meaningful implementation of obligations under the Treaty, including article VI, and the commitments made at the 1995 and 2000 Review Conferences of the Parties to the Treaty.

23. The international community cannot wait forever to witness the total elimination of nuclear weapons. To this end, the 2010 Review Conference of the Parties to the Treaty should adopt a clear time frame for the full implementation of article VI.

24. In this context, we are also of the firm belief that early negotiations on a nuclear weapons convention shall be started in the Conference on Disarmament. In this regard, we reiterate our call for the establishment, as the highest priority and as soon as possible, of an ad hoc committee with a negotiating mandate on nuclear disarmament in the Conference on Disarmament. Such negotiations must lead to the legal prohibition, once and for all, of the possession, development and stockpiling of nuclear weapons by any country and provide for the destruction of such inhumane weapons. Until the conclusion of a nuclear weapons convention, the nuclear-weapon States must fulfil their obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and refrain from:

- Any kind of development of and research on nuclear weapons;
- Any threat of use of nuclear weapons against non-nuclear-weapon States;

- Any modernization of nuclear weapons and their facilities;
- Deployment of nuclear weapons in the territories of other countries;
- Maintaining their nuclear weapons in the trigger-alert situation.

25. Continued lack of transparency regarding the nuclear activities of nuclear-weapon States is a matter of serious concern to the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The few pieces of news on submarine accidents leaked to the media show the scale of the dangers to international peace and security, as well as the great challenges created by the existing nuclear arsenals to the survival of mankind and the environment. Since 2000, the collisions and failures of the United Kingdom nuclear submarines, including the *HMS Superb* in May 2008, have been a great source of concern for the international community and an immense risk to the marine environment. During this period, *HMS Triumph*, *HMS Trafalgar* and *HMS Tireless* had similar catastrophic incidents. In particular, in February 2009, the incident between the United Kingdom *HMS Vanguard* nuclear submarine and *Le Triomphant*, the French nuclear submarine, in the Atlantic Ocean was of serious concern to the international community. Such catastrophes proved once more the righteousness of the international calls for the immediate realization of a world free from nuclear arsenals through the full implementation of article VI of the Treaty.

26. The question of the security of non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons against the use or threat of use of nuclear weapons has been an important issue since the inception of the Treaty on the Non-Proliferation of Nuclear Weapons. The Final Document of the 2000 Review Conference of the Parties to the Treaty reaffirmed, in the second paragraph of its section on article VII, the total elimination of nuclear weapons as the only absolute guarantee against the use or threat of use of nuclear weapons, and agreed that legally binding and unconditional security assurances by the five nuclear-weapon States parties to the Treaty to the non-nuclear-weapon States strengthen the nuclear non-proliferation regime, and called upon the Preparatory Committee to make recommendations to the Review Conference. In the light of that agreement, the Review Conference of the Parties to the Treaty shall prepare recommendations on unqualified negative security assurances to all non-nuclear-weapon States parties to the Treaty on a non-discriminatory basis.

27. The failure of the past Review Conferences to produce recommendations on the security assurances necessitates a concrete measure to be taken by the 2010 Review Conference of the Parties to the Treaty to revitalize the international efforts in this regard.

28. Therefore, we continue to firmly believe that the Conference should establish an ad hoc committee to work on a draft legally binding instrument on providing unconditional security assurances by the five nuclear-weapon States to non-nuclear-weapon States parties to the Treaty on a non-discriminatory basis.

29. As a first step to address the twin issues of illegality of use or threat of use and negative security assurances, we believe that, as suggested by the NGO community, the Review Conference should adopt a decision by which the Conference "decides that the threat or use of nuclear weapons against non-nuclear-weapon States shall be prohibited".

30. The General Assembly, at its sixty-fourth session, also adopted resolution 64/31, entitled "Follow-up to nuclear disarmament obligations agreed to at the 1995 and 2000 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons", in which it called, inter alia, for practical steps to be taken by all nuclear-weapon States that would lead to nuclear disarmament in a way that promotes international stability and, based upon the principle of undiminished security for all, as follows:

(a) Further efforts to be made by the nuclear-weapon States to reduce their nuclear arsenals unilaterally;

(b) Increased transparency by the nuclear-weapon States with regard to nuclear weapons capabilities and the implementation of agreements pursuant to article VI of the Treaty and as a voluntary confidence-building measure to support further progress in nuclear disarmament;

(c) The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

(d) Concrete agreed measures to reduce further the operational status of nuclear weapons systems;

(e) A diminishing role for nuclear weapons in security policies so as to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

(f) The engagement, as soon as appropriate, of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons.

These required measures by international community could be considered as a basis for the Review Conference for further elaboration.

31. In conclusion, the Islamic Republic of Iran reiterates that maintaining the established delicate balance between three pillars of the Treaty on the Non-Proliferation of Nuclear Weapons is vital to preserve the credibility and integrity of the Treaty. Non-nuclear-weapon States could not accept any new obligations pending the full implementation of outstanding nuclear disarmament undertakings by nuclear-weapon States.